

## Article - Education

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§5–314.

(a) Notwithstanding § 2–303(f) of this article, the process for the review and approval of public school construction projects shall be in accordance with the provisions of this section.

(b) (1) Except as provided in subsection (e) of this section, educational specifications and schematic designs for major construction projects are required to:

(i) Be reviewed by the Interagency Commission; and

(ii) Prior to finalization by a local education agency, have any concerns or recommendations of the Interagency Commission satisfactorily resolved.

(2) To provide efficiency within the process, the Department and the Interagency Commission shall consider altering the review and approval process required under paragraph (1) of this subsection, including a rolling deadline for submission of documents, with schematic designs submitted following the completion of the educational specifications review.

(c) (1) Change orders for major construction projects and systemic renovation projects may not be:

(i) Reviewed by the Department of General Services; and

(ii) Approved by the Interagency Commission.

(2) A percentage of the State allocation related to change orders may not be withheld.

(3) Local education agencies shall maintain contingency funds for each approved project to address unanticipated construction costs above the State allocation.

(d) (1) Except as provided in subsection (e) of this section, design and construction documents for major construction projects and systemic renovation projects are required to be:

(i) Reviewed by the Department of General Services; and

(ii) Approved by the Interagency Commission.

(2) The Department of General Services and the Interagency Commission, in consultation with local education agencies, shall develop a timeline for submission, review, and approval of design and construction documents.

(e) (1) The provisions of subsections (b) and (d) of this section and § 5–310(h) of this subtitle do not apply to a local education agency that successfully completes a certification process that meets the requirements of this subsection.

(2) Subject to the review and approval of the Interagency Commission, the Department of General Services shall develop a certification process through which a local education agency is able to demonstrate the expertise and capacity to complete the review of educational specifications, schematic designs, design and construction documents, or preventative maintenance schedule compliance within the county.

(3) The certification process developed by the Department of General Services shall provide for a renewable, 5–year certification for a local education agency that successfully completes the certification process.

(f) School construction projects that are funded entirely with local funds are not required to be reviewed by the Department unless the project substantially alters or expands an existing school building that was built in part with State funds.

(g) If there is any conflict between the provisions of this section and the regulations and procedures of the Interagency Commission, the Department, or the Department of General Services, the provisions of this section shall prevail.

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